

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE MARTIN AGUILAR,

Defendant.

NO: 2:16-CR-0098-TOR

ORDER GRANTING DISCLOSURE
AND PROTECTIVE ORDER

BEFORE THE COURT is the United States' Motion for an Order to Disclose Pre-Indictment Pleadings for Discovery but Not Unsealing and for Protective Order (ECF No. 31). The matter was submitted for expedited consideration without oral argument. The Court has reviewed the motion and the file therein and is fully informed. In order to comply with its discovery requirements while balancing the need to protect the integrity of the on-going investigation and alleviate safety concerns, the government seeks to disclose certain pre-indictment pleadings to Defendant but keep them sealed from public

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1 access and to enter into a protective order that will govern the dissemination of
2 such pleadings. For good cause shown, the government's motion is granted.

3 **ACCORDINGLY, IT IS HEREBY ORDERED:**

4 The United States is permitted to disclose the following tracking warrants,
5 location records information warrants and search warrants that are all currently
6 sealed by the Court (hereinafter "Protective Discovery") to counsel for
7 Defendants' pursuant to its discovery obligations:

8 ***Search Warrants***

9 2:15-mj-345-JTR, 2:15-mj-359-JTR, 2:15-mj-360-JTR, 2:15-mj-362-JTR,
10 2:15-mj-363-JTR, 2:16-mj-76-JTR, 2:16-mj-77-JTR, 2:16-mj-78-JTR, 2:16-mj-79-
11 JTR, 2:16-mj-80-JTR, 2:16-mj-81-JTR, 2:16-mj-82-JTR, 2:16-mj-92-TOR , 2:16-
12 mj-93-TOR, 2:16-mj-94-TOR, 2:16-mj-95-TOR, 2:16-mj-96-TOR, 2:16-mj-97-
13 TOR, 2:16-mj-142-JTR, 2:16-mj-143-JTR, 2:16-mj-144-JTR, 2:16-mj-145-JTR,
14 2:16-mj-146-JTR, 4:16-mj-7071-JTR, 4:16-mj-7072-JTR.

15 ***Location Information Records and Tracking Warrants***

16 2:16-mj-50-JTR , 2:15-mj-269-JTR, 2:15-mj-322-JTR, 2:15-mj-323-JTR,
17 2:15-mj-354-JTR, 2:15-mj-355-JTR, 2:15-mj-356-JTR, 4:16-mj-7041-JTR, 4:16-
18 mj-7059-JTR.

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1 Such applications, orders and warrants shall otherwise remain sealed by the
2 Court.

3 IT IS FURTHER ORDERED that:

4 1. The United States will provide discovery materials (including
5 Protective Discovery) on an on-going basis to defense counsel;

6 2. Defense counsel may possess but not copy (excluding the production
7 of necessary working copies) the discovery materials, including sealed documents;

8 3. Defense counsel may show to, and discuss with the Defendant the
9 discovery material, including sealed documents;

10 4. Defense counsel shall not provide original or copies of discovery
11 materials directly to the Defendant;

12 5. Defense counsel shall not otherwise provide original or copies of the
13 discovery material to any other person, including subsequently appointed or
14 retained defense counsel, but excluding any staff of defense counsel or investigator
15 and/or expert engaged by defense counsel, who will also be bound by the terms
16 and conditions of the protective order;

17 6. The United States and defense counsel may reference the existence
18 and content of sealed discovery material in open and closed court proceedings
19 relevant to this cause. Any reference to the content of the Protected Discovery
20 shall be filed under seal, until further order of the Court.

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1 7. The parties may seek relief from this Order for good cause shown.

2 The District Court Executive is hereby directed to enter this Order and
3 furnish copies to counsel.

4 DATED June 17, 2016.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge